

S. B. No. 40, A bill to be entitled "An Act to make appropriation to cover the cost of a fireproof brick dormitory at the Prairie View State Normal and Industrial College at Prairie View, Waller County, Texas, and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass.

HUDSPETH, Chairman.

Committee Room,  
Austin, Texas, January 11, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 47, A bill to be entitled "An Act making an appropriation for the support and maintenance of the Sam Houston Normal School, the San Marcos Normal School, the Denton Normal School and the Canyon City Normal School during the summer term of 1917, and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass.

HUDSPETH, Chairman.

Committee Room,  
Austin, Texas, January 11, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 17, A bill to be entitled "An Act to authorize the construction of and make an appropriation for the construction of a main building, chemical laboratory building, dormitory and power house for the School of Mines of the State of Texas, located in El Paso, Texas, and to make an appropriation of all funds collected from insurance on the burned buildings of said School of Mines for said purpose, and for furnishing, equipping and maintaining said School of Mines, and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass.

HUDSPETH, Chairman.

#### FOURTH DAY.

Senate Chamber,  
Austin, Texas,

Friday, January 12, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.

Absent—Excused.

Smith.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

#### Bills and Resolutions.

By Senator Suiter:

S. B. No. 76, A bill to be entitled "An Act amending Article 2078, Chapter 20 of the Revised Civil Statutes of 1911 in reference to appeals, etc., to the Courts of Civil Appeals, stating in what cases allowed, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Suiter:

S. B. No. 77, A bill to be entitled "An Act amending Article No. 2391, Chapter 17, Revised Civil Statutes of 1911, relating to appeals from the justice court, and prescribing the cases in which appeals may be taken from the justice court, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Suiter:

S. B. No. 78, A bill to be entitled "An Act to prohibit contributions of any money or its equivalent by any limited partnership or unincorporated joint stock company or co-partnership of any kind for the purpose of aiding or defeating the election of any candidate for the office of Representative in Congress or Presidential or Vice-presidential Elector of this State or United States Senator of this State, or any candidate for any State, district, county or precinct office of this State, or the success or defeat of any question submitted to a vote of the people of this State, or for the purpose of aiding in maintaining or defraying the expense of any campaign or political headquarters maintained for the election or defeat of any candidate for office or for the success or defeat of any question to be voted upon by the qualified voters of this State or any subdivision thereof; and to prohibit any trustee, manager, director, agent or owner of any unincorporated joint stock company or co-partnership from contributing any of the money or other assets of such limited partnership, unincorporated joint stock company or co-partnership of any kind for the purpose of aiding or defeating the election of any candidate for the office of Representative in Congress of the United States, presidential or vice-presidential elector from this State or United States Senator from this State, or for any State, district, county or precinct officer of this State, or the success or defeat of any question submitted to the vote of the people of this State, providing penalties therefor, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Johnson of Hall:

S. B. No. 79, A bill to be entitled "An Act to prohibit the maintenance and operation of pool halls within the State of Texas; defining the term pool hall as used in the Act; declaring that the threatened, actual or contemplated use of any premises, place, room, building, or part thereof, or tent or any kind of enclosure, for the purpose of a pool hall as defined in the Act shall be enjoined at the suit of the State or any citizen thereof; stating who may be made a party defendant in such injunction suit, conferring certain power and authority upon and fixing certain

duties for the Attorney General and the county and district attorneys of the State with reference to such suits; providing that any citizen may institute and maintain such suits, fixing the procedure in such suits; creating and defining offenses in violation of the Act and providing the punishment therefor; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Johnson of Hall:

S. B. No. 80, A bill to be entitled "An Act to amend Title 7 (seven), Article 302, of the Penal Code of the State of Texas so as that the same shall read as hereinafter set out, and to further amend said Title 7 by inserting after Article 302 a new article to be known as 302-A; said amended Articles 302 and 302-A being hereafter fully set forth, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator King:

S. B. No. 81, A bill to be entitled "An Act to amend Articles 5982 and 5988 of Title 96 of the Revised Civil Statutes of 1911, relating to navigation districts so as to provide that any navigation district in addition to authority to levy taxes for interest and sinking fund upon bonds which may be voted, shall also be authorized to levy an additional tax not exceeding ten cents on the one hundred dollar valuation upon all property within such navigation district for the maintenance, upkeep and operation of said district and all improvements constructed by such district; and so as to provide the amount of the bond of the county treasurer as treasurer of a navigation district shall be fixed by the navigation and canal commissioners of such district at not less than twice the estimated amount of funds which will be in the hands of said treasurer at any time, except where bonds of said district are voted, in which event said treasurer shall execute an additional bond in twice the amount of such bond issue before receiving the proceeds thereof."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Henderson:

S. B. No. 82, A bill to be entitled "An Act to establish a branch of the Agricultural and Mechanical College of Texas east of the 96th meridian; pro-

viding for the location of such college; its government and control of its finances; defining its leading object and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science and for military discipline of all students; conferring upon the board of directors of said College the right of eminent domain; making necessary appropriations for the location, establishment and maintenance of said college; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Dayton, Hudspeth and Hall:

S. B. No. 83, A bill to be entitled "An Act to amend Article 1307, Chapter 24, Title 25, Revised Civil Statutes of 1911, as amended by Chapter 152 of General Laws passed by the Thirty-fourth Legislature, approved April 7, 1915, relating to corporations formed for the purpose of storing, transporting, buying and selling oil and gas and other products, and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

By Senator Hopkins:

S. B. No. 84, A bill to be entitled "An Act conferring upon the Railroad Commission of Texas the power to require persons, firms, corporations and receivers, owning or operating railroads within the State of Texas, to arrange or rearrange, or relocate their railroad tracks and depot buildings at stations when and where the safety of the public may require such arrangement or rearrangement; providing procedure for such requirements; and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Hopkins:

S. B. No. 85, A bill to be entitled "An Act to amend Section 16, of Article 30, of Title 5, of the Revised Statutes of Texas of 1911, so as to declare what counties compose the Sixteenth Judicial District of Texas; to fix the time for holding court in the various counties of said district; to make the process issued or served before this Act takes effect, including recognizances and bail bonds returnable to the terms of court as herein fixed; to repeal all laws in conflict herewith, and declaring

an emergency, and fixing a time for this Act to take effect."

Read first time and referred to Committee on Judicial Districts.

By Senator McCollum:

S. B. No. 86, A bill to be entitled "An Act to prescribe, fix and regulate the buying, selling or optioning, stocks, bonds or other commodities so as to conform with the acts of Congress, approved August 18, 1914, and known as the United States Cotton Future Act (including such amendments as may hereafter be made to said act of Congress)."

Read first time and referred to Committee on State Affairs.

By Senator Alderdice:

S. B. No. 87, A bill to be entitled "An Act to amend Article 1714, Chapter 3, of Title 34, of the Revised Civil Statutes of the State of Texas, so as to require the consent of the parties to appear of record."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Floyd:

S. B. No. 88, A bill to be entitled "An Act to establish a State Teachers Employment Bureau, providing for its management and control, and defining its duties."

Read first time and referred to Committee on Educational Affairs.

By Senator McNealus:

S. B. No. 89, A bill to be entitled "An Act constituting the several district judges of counties of certain population a Juvenile Board of such county, and prescribing the powers and duties of such board, including the appointment by it of probation officers, and providing for the payment of compensation of such officers, and allowing the said district judges an additional salary, to be paid out of the general fund of such county."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator McNealus:

S. B. No. 90, A bill to be entitled "An Act to amend Article 1428, Chapter 13, Title 19, of the Penal Code of the State of Texas relating to the obtaining of board and lodging under false pretenses or obtaining any property or thing of value, or the making, uttering or delivery of any check, draft or order in payment of any obligation to de-



fraud; to prescribe a rule of evidence in prosecution thereunder; and to enact new sections in lieu thereof relating to the obtaining of board and lodging under false pretenses and prescribing penalties for violation thereof."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator McNealus:

S. B. No. 91, A bill to be entitled "An Act to repeal Article 5663, Chapter 3, Title 86, of the Revised Statutes of the State of Texas, relating to fixing a special lien in favor of hotels and boarding houses and providing a remedy for the enforcement of said lien by the advertising and sale of baggage and other property under the control of the guests of such hotel keeper, inn keeper and boarding house keeper and the application of the proceeds of the said sale, defining the term hotel, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator McNealus:

S. B. No. 92, A bill to be entitled "An Act to amend Article 541 and add 541a, Chapter 4, Title 7, to the law in regard to the manner of enforcing the attendance of witnesses relating to the obtaining of money, property or other things of value under false pretenses or uttering or delivering any check, draft or order in payment of any obligation to defraud; and prescribing the manner in which such witnesses may be required to attend the trial of such cases, and providing for their pay."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senators Bee and Gibson:

S. B. No. 93, A bill to be entitled "An Act to establish a State Highway Department, creating a State Highway Commission and the office of State Highway Engineer, prescribing the duties of the members of the commission and the engineer, and fixing the compensation of each; prescribing reciprocal duties for the commission and for the commissioners court; directing the commission to plan and adopt a comprehensive system of State highways, and to promote the construction thereof by co-operation with the counties and by the commission; authorizing a policy of State aid to counties in road construction, and to the inauguration of a plan of reward to the counties for

the construction of the more durable types of highways; directing co-operation of the department with the Federal Government into utilization of any funds appropriated by the working of State prisoners on State highways under conditions that may be agreed upon by the Highway Commission and the Prison Commission and approved by the Governor; providing for the support of the department by State registration of all motor vehicles and motorcycles, and for the distribution to the counties of a part of the moneys received from such registration fees; providing for the furnishing of identification numbers to motor vehicles and motorcycles, and prescribing penalties for the violation of the provision for the registration and identification of such vehicles; making an appropriation to inaugurate the work of the department as provided in this Act, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senators Bee and Gibson:

S. B. No. 94, A bill to be entitled "An Act to amend Article 7394 of the Revised Statutes of 1911 so as to provide that the franchise tax on foreign corporations therein levied shall be based upon the proportion of the total issue and outstanding capital stock of such corporation as the gross receipts of such corporations from its intrastate business in Texas bears to its total gross receipts."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Bee and Gibson:

S. B. No. 95, A bill to be entitled "An Act to amend Article 3837 of the Revised Statutes of 1911 so as to provide that the permit fees for corporations payable to the Secretary of State under the provisions of Article 3837, Chapter 1, Title 58, of the Revised Statutes of the State of Texas shall be based upon the capital stock of corporations, domestic and foreign, issued and outstanding, and that such permit fee shall not exceed the sum of twenty-five hundred dollars."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bee:

S. B. No. 96, A bill to be entitled "An Act making it a misdemeanor to kill or in any manner injure the winged quad-

rupe known as the common bat; repealing all laws in conflict therewith and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Bee:

S. B. No. 97, A bill to be entitled "An Act to prohibit any person other than the lawful owner or owners to use, traffic in, purchase, sell, convert, mutilate or destroy or to refuse to return to such owner any milk cans, milk bottles, milk jars, butter boxes, ice cream cans or ice cream tubs branded or stamped by or bearing the private mark of such owner."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Bee:

S. B. No. 98, A bill to be entitled "An Act providing for salaries of Clerks of the Courts of Civil Appeals, and the payment of costs collected by said clerks into the Treasury of the State of Texas."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Gibson:

S. B. No. 99, A bill to be entitled "An Act to amend Chapter 83 of the General Laws of the Regular Session of the Thirty-second Legislature, said Chapter 83 being: 'An Act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature, relating to exemption as affecting employes, and ex-employes of common carriers, express, railway, telegraph, news and other companies, persons and incorporations, performing service for or in connection with the operation of the railways; the State Railroad Commissioners; peace officers and representatives of industrial fairs and farmers' congresses and institutes and farmers' unions; deputy sheriffs, United States marshals and not more than two deputies of each such marshal; chiefs of police and city marshals; eleemosynary and religious societies; volunteer firemen and Confederate veterans; the State Game, Fish and Oyster Commissioner and his two chief deputies; State and county health officers; government representatives accompanying fish for free distribution in the streams of this State; the Dairy and Food Commissioner and two chief deputies; and providing for right of contract between railway companies and editors, proprietors and publishers of newspapers and

magazines; persons who have been instrumental in securing the passage by the United States Congress of statutes providing for the equipment of railroad trains with safety appliances; constables; members of the State Militia in uniform when called into service,' so as to include among the exemptions the Fire Marshal of the State Fire Insurance Commission and those acting for him while actually engaged in fire prevention work, and all city fire marshals while traveling to and from their State and district conventions."

Read first time and referred to Committee on Internal Improvements.

By Senator Caldwell:

S. B. No. 100, A bill to be entitled "An Act to amend Article 1003, Article 1004 and Article 1005 of the Revised Civil Statutes of the State of Texas of 1911, relating to the condemnation by incorporated cities and towns and public utility companies or corporations of private property for opening or widening streets, avenues or alleys, or for the construction or extension of gas or electric light plants, or waterworks, water mains, supply reservoirs or standpipes for waterworks or sewer, etc., and for laying sewer pipes and acquiring outfall, etc., whenever it is made to appear that the use of such private property is necessary for such purposes, and providing for condemnation by cities and towns of private property for the purpose of construction, operation and maintenance of waterworks, and providing the proceedings for such condemnation and authorizing any public service company or corporation organized or chartered under the laws of Texas for the purpose of constructing gas, electric light, waterworks and furnishing gas, lights or water to any town or city, or the inhabitants thereof, to condemn and appropriate any private land reasonably necessary for its use for such purpose, by paying just compensation therefor, and prescribing the proceedings for such condemnation, to repeal all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Hudspeth:

S. B. No. 101, A bill to be entitled "An Act declaring it to be unlawful for any railway company, or receiver thereof, or any other common carrier, to confiscate or otherwise convert to its,

or their, own use any article of freight received by it, or them, for transportation and delivery; providing penalties therefor in favor of the State of Texas and in favor of the owner or consignee of such article; providing that the terms of this Act are cumulative of all other laws upon the subject; and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Hudspeth:

S. B. No. 102, A bill to be entitled, "An Act to amend an Act passed by the Regular Session of the Thirtieth Legislature, known as Chapter XCVI, so that it shall hereafter read as follows."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Page:

S. B. No. 103, A bill to be entitled "An Act to regulate private employment agencies, defining certain terms used in the Act, prohibiting the opening, keeping, maintaining or carrying on of an employment agency without first procuring a license therefor, prescribing the application to be made to the Commissioner of Labor Statistics to cause an investigation to be made as to the character and responsibility of applicant, prohibiting conducting private employment agencies in certain places, authorizing the Commissioner of Labor Statistics to revoke the license of any private employment agency for violation of any of the provisions of the Act, providing that a revocation of the license of any such private employment agency shall not affect proceedings in the court for criminal prosecution nor a suit that may be brought against the sureties on the bond of such private employment agencies, providing that the rulings of the Commissioner of Labor Statistics in hearings for revocation of license shall be final except under certain conditions, prescribing a form for license and prohibiting the transfer or assignment of such license without the consent of the Commissioner of Labor Statistics, fixing the license fee to be charged and also the fee for renewal thereof, prescribing the amount of the bond to be furnished by such employment agencies and the condition thereof, provided that all moneys collected for license and fines under the provisions of this Act shall be set aside in a separate fund to be used by the

Commissioner of Labor Statistics in the enforcement of this Act and the regulation of licensed employment agencies and that all moneys remaining in the fund at the end of the fiscal year shall be transferred to the school fund, requiring all licensed private employment agencies to keep a correct register of all applicants for help and employment to be approved by the Commissioner of Labor Statistics and to make monthly reports of the business transacted by such agency to the Commissioner of Labor Statistics or any of his deputies or inspectors; to examine all records, registers, papers, books or other documents kept by such licensed private employment agencies; providing that all blank books, report blanks be furnished such private employment agencies at cost; requiring all licensed private employment agencies to issue a receipt to every applicant from whom a fee is received and prescribing the form of such receipt; prohibiting licensed employment agencies from accepting or collecting a fee from any applicant without a bona fide order from an employer that he will furnish such employment; providing for refund to applicants for employment upon failure to secure employment; prohibiting the publication of any false, fraudulent or misleading information; prohibiting the sending of females or minors to immoral places or to places where intoxicating liquors are sold or consumed; prohibiting the acceptance of an application or procuring employment for a child in violation of the child labor law; requiring that applicants for employment being sent to places where labor trouble exists shall be fully informed of the existing condition; fixing the maximum amount of fees that may be charged for procuring help or employment; providing penalties for violation of the provisions of this Act; repealing all laws or parts of laws in conflict with the Act."

Read first time and referred to Committee on Labor.

By Senator Robbins:

S. B. No. 104, A bill to be entitled "An Act to prevent the unnecessary cruelty in the catching and killing of wild animals, and to protect live stock and other domestic animals from injury, and to prevent the extermination of wild animals usually hunted for sport, and to forbid the



setting of any trap, snare or device for taking, catching, killing or trapping of same in a cruel manner, and to provide punishment for violation of such regulations."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Hudspeth:

S. B. No. 105, A bill to be entitled "An Act for the protection of citizens of this State and of the United States, and citizens of foreign countries having equal treaty rights with the United States on behalf of their citizens, who may be killed or injured in a foreign State or country, and providing for the procedure of trying such suits and causes of action in the courts of the State of Texas and providing compensation therefor and declaring an emergency."

Read first time and referred to Committee on Federal Relations.

By Senator Gibson:

S. B. No. 106, A bill to be entitled "An Act to amend Title 52, Chapter 18, Article 3420 of the Revised Statutes of the State of Texas, so as to provide that property upon which valid liens have been given shall not be appropriated for exemptions or to make up allowances in lieu thereof until payment of debts secured thereby, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Johnson of Hall:

S. B. No. 107, A bill to be entitled "An Act to restore and confer upon the county court of Hansford county the civil and criminal jurisdiction belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hudspeth:

S. B. No. 108, A bill to be entitled "An Act providing for state-wide tick eradication throughout the State of Texas, and to provide for the expenses of conducting the work in the sev-

eral counties, to prescribe penalties for violations of this Act and to provide process to compel compliance by the commissioners courts and the members thereof with the provisions of this Act, and of orders and regulations of the State of Texas Live Stock Sanitary Commission, and repealing all laws and parts of laws in conflict herewith."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Bee:

S. B. No. 109, A bill to be entitled "An Act to amend Article 2811, Chapter 14, Title 48, Revised Statutes of Texas, 1911, empowering the trustees of any school district upon petition of parents or guardians, to require said trustees to establish and maintain free Kindergarten, for the training of children between the ages of five and seven years, and to provide for trained kindergarten teachers."

Read first time and referred to Committee on Educational Affairs.

By Senator Caldwell:

S. B. No. 110, A bill to be entitled "An Act making an emergency appropriation for the support and maintenance of the State Quarantine Station at Brownsville, Texas, and other points within the State, for the remainder of the fiscal year ending August 31, 1917, and declaring an emergency."

Read first time and referred to Committee on Finance.

#### Joint Committee Report.

Committee Room,

Austin, Texas, January 11, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives, and Hon. W. P. Hobby, President of the Senate:

Sirs: Your Joint Committee, appointed to make arrangements to count the vote and arrange for the inauguration of the Governor and Lieutenant Governor, beg leave to recommend that the House and Senate meet in Joint Session in the Hall of the House of Representatives on Monday, the 15th day of January A. D. 1917, at 10:30 o'clock a. m., for

the purpose of counting said votes and that the House and Senate shall sit in Joint Session in the Hall of the House of Representatives on Tuesday the 16th day of January 1917, at 12 o'clock noon, at which time the Joint Committee will escort the Governor and Lieutenant Governor elect to the Speaker's stand and the oath of office will be administered to them by the Honorable Nelson Phillips, Chief Justice of the Supreme Court of Texas.

WOODS,  
CLARK,  
CANALES,  
NEILL,  
MILLER of Dallas,  
On the part of the House.  
WOODWARD,  
BAILEY,  
GIBSON,  
On the part of the Senate.

The above report was read and adopted.

#### Message from the House.

Hall of the House of Representatives.  
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 21, A bill to be entitled "An Act making appropriation to pay the mileage and per diem of the Presidential Electors of Texas for the year 1917, and declaring an emergency."

S. B. No. 32, A bill to be entitled "An Act appropriating the sum of one hundred twenty-five thousand dollars (\$125,000.00), or so much thereof as may be necessary, out of the general revenue not otherwise appropriated, to pay the mileage and per diem of members and salaries and per diem of officers and employees of the Thirty-fifth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

S. B. No. 33, A bill to be entitled, "An Act making appropriation of the sum of thirty thousand (\$30,000) dollars, or as much thereof as may be necessary, to pay the contingent expenses of the Thirty-fifth Legislature of the State of Texas, providing

how accounts may be approved and declaring an emergency."

The following committee has been appointed on part of the House to count the ballots for Governor and Lieutenant Governor, and arrange for their inauguration: Woods, Miller of Dallas and Canales.

Respectfully,  
BOB BARKER,  
Chief Clerk, House of Representatives.

#### Written Privilege Motion.

We move that the protest filed by citizens of the Fourth Senatorial District, and all other papers and documents connected therewith, involving the right of the Honorable George W. Dayton to a seat in the Senate of the Thirty-fifth Legislature, be referred to the Committee on Privileges and Elections.

McNEALUS.  
DAYTON.

The above motion was read and adopted.

#### Simple Resolution No. 12.

By Senators McNealus, King and Johnston of Harris:

Resolved, That the President of the Senate be authorized to appoint a special committee of seven Senators, to be known as the Committee on Oil and Oil Development Affairs, to which shall be referred all bills now before the Senate or to be before it hereafter during the Regular Session of the Thirty-fifth Legislature, referring to oil or oil development affairs, and that all such bills now in the hands of any other committees are hereby transferred to the committee herein provided for.

The resolution was read, and, Senator Bailey made the point of order that the resolution sought to change the rules of the Senate, and should lie over for one day and be referred to Committee on Rules.

After discussion, the Chair, Lieutenant Governor Hobby, sustained the point of order, and the motion to refer was adopted.



## Committee Report on Simple Resolution No. 8.

Committee Room,  
Austin, Texas, January 11, 1917.  
To Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee, to whom was referred Simple Resolution No. 8, beg to report that we have had same under consideration and beg to report same back to the Senate with recommendation that it do not pass, but that the following committee substitute for said resolution be and the same is hereby reported to the Senate in lieu thereof with the recommendation that it do pass.

"Whereas, it appears to said Committee that the Senate needs only two additional employes, to wit, a stenographer to be assigned to the Press Table, and a clerk to be assigned to the Finance Committee.

Therefore, be it resolved, That Mrs. Myrtle Morrison be assigned as stenographer to the Press Table and that a clerk be assigned to the Finance Committee, each to receive the sum of five dollars per day.

KING,  
Chairman Committee on Rules.

The above report was read and Senator King moved that the Senate rule requiring committee reports to lie over for one day be suspended, and that this report be considered.

The motion was adopted by the following vote:

Yeas—27.

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Robbins.
Hall.	Suiter.
Harley.	

Nay—1.

Westbrook.

Absent.

Strickland.

Woodward.

Absent—Excused.

Smith.

Senator Clark offered the following amendment:

I move to amend report by adding the names of Miss Ima Claire, John L. Stephenson and Capt. W. W. Williams.

The amendment was read second time, and

Senator Lattimore moved to table same.

Senator Caldwell made the point of order that the amendment was out of order prior to the action on the committee report.

The chair overruled the point of order.

Action recurred on the motion to table the amendment, which motion was adopted by the following vote:

Yeas—19.

Alderdice.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	King.
Caldwell.	Lattimore.
Dayton.	Page.
Dean.	Robbins.
Decherd.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.
Henderson.	

Nays—8.

Buchanan of Scurry.	Johnston of Harris.
Clark.	McNealus.
Hall.	Parr.
Hudspeth.	Woodward.

Present—Not Voting.

Harley.

Absent.

Bailey.

McCollum.

Absent—Excused.

Smith.

Senator Dean then offered the following amendment:

Amend by striking out name of, and provision for stenographer for the Press Table.

The amendment was read and

Senator Page moved to table the same, which motion was tabled by the following vote:

Yeas—15.

Alderdice.	Caldwell.
Bee.	Gibson.

Hall.	Page.
Harley.	Parr.
Henderson.	Robbins.
Hudspeth.	Strickland.
King.	Woodward.
Lattimore.	

Nays—10.

Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Clark.	McNealus.
Dean.	Suiter.
Floyd.	Westbrook.

Present—Not Voting.

Dayton.

Absent.

Bailey.	Hopkins.
Decherd.	McCollum.

Absent—Excused.

Smith.

Senator Page moved the previous question on the committee report, which motion being duly seconded, was so ordered.

Action then recurred on the committee report and the same was adopted by the following vote:

Yeas—19.

Alderdice.	Harley.
Bailey.	Henderson.
Bee.	Hudspeth.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	Page.
Dayton.	Parr.
Dean.	Robbins.
Gibson.	Woodward.
Hall.	

Nays—9.

Clark.	McNealus.
Floyd.	Strickland.
Hopkins.	Suiter.
Johnson of Hall.	Westbrook.
Johnston of Harris.	

Absent.

Decherd.	McCollum.
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Absent—Excused.

Smith.

Senator Caldwell moved to reconsider the vote by which report was adopted and table the motion to reconsider.

The motion to table prevailed.

Here Senator Gibson announced that a change in the clerical work had been made, being Miss White taking the place of the assistant enrolling clerk, who had resigned.

## Simple Resolution No. 14.

Whereas, Hon. Julius Real of Kerr County, a former distinguished member of this body is in Austin; therefore be it

Resolved, That the distinguished gentleman be invited to a seat in the Senate, and be invited to address the Senate.

BEE.  
GIBSON.  
HUDSPETH.

The resolution was read and adopted.

Senator Real addressed the Senate briefly.

## Simple Resolution No. 15.

Whereas, the Senate galleries are in an unsightly and unsanitary condition, and whereas there should be some one appointed to keep same in a sanitary and decent condition on account of the fact that ladies frequent said galleries in order to view the proceedings of this body; therefore be it

Resolved, That the Lieutenant Governor be authorized to appoint a special sergeant-at-arms, whose pay shall be \$5.00 per day.

Hudspeth, Johnston of Harris, McNealus, Bailey.

The resolution was read and adopted by the following vote:

Yeas—16.

Alderdice.	Hudspeth.
Bailey.	Johnston of Harris.
Bee.	King.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Dayton.	Strickland.
Hall.	Woodward.

Nays—11.

Dean.	Johnson of Hall.
Decherd.	Lattimore.
Floyd.	Robbins.
Gibson.	Suiter.
Henderson.	Westbrook.
Hopkins.	

## Absent.

Clark. McCollum.  
Harley.

Absent—Excused.

Smith.

In accordance with the above resolution the Chair, Lieutenant Governor Hobby, announced the appointment of W. W. Williams of Houston, to the place provided for.

## Bills Signed.

The Chair, Lieutenant Governor Hobby, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 21, A bill to be entitled "An Act making appropriation to pay the mileage and per diem of the Presidential Electors of Texas for the year 1917, and declaring an emergency."

S. B. No. 32, A bill to be entitled "An Act appropriating the sum of one hundred twenty-five thousand dollars (\$125,000.00), or so much thereof as may be necessary, out of the general revenue, not otherwise appropriated, to pay the mileage and per diem of members and the salaries and per diem of officers and employees of the Thirty-fifth Legislature of the State of Texas, providing how accounts may be approved and declaring an emergency."

S. B. No. 33, A bill to be entitled "An Act making appropriation of the sum of thirty thousand (\$30,000.00) dollars, or so much thereof as may be necessary to pay the contingent expenses of the Thirty-fifth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

## Adjournment.

On motion of Senator Bailey the Senate adjourned until 9:30 o'clock Monday morning.

## APPENDIX.

## Enrolling Committee Reports.

Committee Room,  
Austin, Texas, January 12, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 32, and find it correctly enrolled, and have this day at 11:55 o'clock a. m., presented same to the Governor for his approval.

HOPKINS, Acting Chairman.

Committee Room,  
Austin, Texas, January 12, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 33, and find it correctly enrolled, and have this day at 11:55 o'clock a. m., presented same to the Governor for his approval.

HOPKINS, Acting Chairman.

Committee Room,  
Austin, Texas, January 12, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 21, and find it correctly enrolled, and have this day at 11:55 o'clock a. m., presented same to the Governor for his approval.

HOPKINS, Acting Chairman.

## Committee Reports.

Committee Room,  
Austin, Texas, January 12, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Printing, to whom was referred

S. B. No. 10, A bill to be entitled "An Act to amend Article 3757, Title 54, Chapter 1, of the Revised Civil Statutes of 1911, of the State of Texas, to provide for the notice of sale of real estate under execution, and declaring an emergency."

Have had the same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass.

Floyd, Chairman, Johnson, Johnston, McNealus, McCollum.



Committee Room,  
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 75, A bill to be entitled "An Act to validate titles to school land which has been purchased from the State on condition of settlement and residence in cases where the purchaser made settlement thereon and filed his affidavit of settlement in the General Land Office, but transferred the land before the expiration of one year from the date of award to another qualified purchaser; in cases where the purchaser settled on the land within the time required by law, but failed to file in the General Land Office his affidavit of settlement within the time required by law; in cases where the purchaser failed to settle on the land within ninety days from the date of award, but actually settled on the land and filed his affidavit of settlement in the General Land Office as required by law; and in cases where the purchaser has been prevented from making settlement by being called into the military service of the State or United States, and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

PARR, Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on County and County Boundaries, to whom was referred

S. B. No. 37, A bill to be entitled "An Act to amend Articles 6772, 6773, 6774 and 6775, of Chapter 1, Title 117, Revised Civil Statutes of Texas, relating to the transcribing of records from the parent county into the newly created counties which have been created either in whole or in part from the territories of any other county or counties in this State, or to which may have been added since its creation the territory of any other county or

counties in this State so as to authorize the commissioners court of the new county to employ a competent person to transcribe the same, other than the county clerk of such new county, to repeal all laws in conflict therewith, and declaring an emergency,"

Have had the same under consideration and I am requested to report the same back to the Senate with the recommendation that it do pass but be not printed.

PARR, Chairman.

Committee Room,  
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 54, A bill to be entitled "An Act to create the Eighty-first Judicial District in the State of Texas, said district to be composed of the counties of Hall, Donley, Armstrong and Carson. To fix the jurisdiction of said district court in said district and the terms of court in said several counties in said district and providing for a judge thereof and a district attorney, reorganizing the Thirty-first, Forty-sixth and Forty-seventh Judicial Districts of Texas, fixing a time of holding court in the Thirty-first, Forty-sixth and Forty-seventh Judicial Districts. To provide that all cases now on the dockets of counties of the district courts of Hall, Donley, Armstrong and Carson counties be transferred to the dockets of the Eighty-first Judicial District created by this Act. To provide that the district clerks and sheriffs elected in the counties of Hall, Donley, Armstrong and Carson, and their successors in office be alike the officers of each of said district courts of said county. Providing for the return of all process and validation of same issued or to be issued by the courts of the Thirty-first, Forty-sixth and Forty-seventh districts in the counties of Hall, Donley, Armstrong and Carson, be returnable to district court of the Eighty-first Judicial district. To provide for the appointment of the judge of said Eighty-first Judicial District and for the appointment of the district attorney for said Eighty-first Judicial District and fixing their compensation and declaring an emergency,"

Have had the same under consid-

In Memory  
of  
Paul M. Waples

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By Senators Lattimore and McNealus:

Be it Resolved, That when the Senate adjourns from this session, that it adjourn till Monday, January 15th, out of respect to the memory of Hon. Paul Waples, the late Chairman of the State Democratic Executive Committee.

LATTIMORE.  
McNEALUS.

The resolution was read, unanimously adopted by a rising vote, Senators Hudspeth, Bee, Lattimore and Dayton, making brief talks on the life of Mr. Waples.

eration, and beg to report it back to the Senate, with the recommendation that it do pass, and be not printed.

Buchanan of Scurry, Chairman;  
King, Suiter, Henderson, Parr, Dean,  
Johnston, McCollum.

Committee Room,  
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 9, A bill to be entitled "An Act to amend Section 116 of Chapter 96, Acts of Regular Session of the Thirty-second Legislature, providing for the granting of teacher's certificates and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,  
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 53, A bill to be entitled "An Act to prohibit fishing and hunting upon the enclosed land of any person, firm or corporation, without the consent of such person, firm or corporation or a duly authorized agent, prescribing a penalty for the violation of this Act; repealing Articles 1255, 1255a, 1255b, 1255c, 1255d, 1255e, and 1256, Revised Criminal Statutes of 1911, and declaring an emergency,"

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following Committee Amendment:

Amend by adding after Section 3, a new section numbered 3A and reading as follows:

Section 3A. Nothing here shall be construed to prohibit any person in Texas from entering enclosed land of another for the purpose of trapping for wolves and wild cats.

CLARK, Chairman.

## FIFTH DAY.

Senate Chamber,  
Austin, Texas,  
Monday, January 15, 1917.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Harley.
Bailey.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Strickland.
Hall.	Westbrook.

Absent.

Bee.

Absent—Excused.

Hudspeth.	Smith.
Johnston of Harris.	Suiter.
McNealus.	Woodward.

Prayer by Rev. E. C. Boynton, of Austin.

Pending the reading of the Journal of Friday, the same was dispensed with, on motion of Senator Lattimore.

## Excused.

On account of illness:

Senator Suiter for today, on motion of Senator Lattimore.

On account of important business:

Senator Johnston of Harris, for today, on motion of Senator Dean.

Senator Hudspeth, indefinitely, on motion of Senator Henderson.

Senator McNealus, for today, on motion of Senator Robbins.

## Bills and Resolutions.

### Simple Resolution No. 17.

By Senator Caldwell:

Be it resolved by the Senate, That the use of the Senate Chamber be